

# Notice of Allowability

Application No.

09/778,005

Examiner

Todd M Jack

Applicant(s)

STEFIK ET AL.

Art Unit

2132

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to terminal disclaimer filed 09/08/2004.
2. ☒ The allowed claim(s) is/are 23-55.
3. ☒ The drawings filed on 07 February 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Albert Decade*  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

### DETAILED ACTION

This application is a Divisional of 08/948,893, 10/10/1997, which claims benefit of 60/039,275, 02/28/1997.

1. The following is an examiner's statement of reasons for allowance:

The prior art of record, i.e. Roads (6,760,463 B2), Roads (6,522,769 B1), Roads (6, 442, 285 B2), and Stefick (6,233,684 B1), found upon performing a prior-art search, fails to teach the subject matter of the application with a priority date preceding that of the application's domestic priority document, 02/28/1997. The prior arts teach a system that controls the distribution and use of digital documents comprising a usage right determination device (Stefick 6,233,684 B1), a usage right association device that associates the usage right (Stefick 6,233,684 B1), the digital document and a rendering right where the watermark information including information relating to the rendering of the digital document (Stefick 6,233,684 B1), an information storage media comprising information that controls the distribution and use of digital documentation comprising information that determines the usage right & information that associates the usage right (Stefick 6,233, 684), the digital document and a rendering right where the rendering right governs rendering of the digital document including information that embeds watermark information (Stefick 6,233,684), and the watermark information including information relating to the rendering of the digital document (Stefick 6,233,684). The prior art does not have a priority date preceding that of the application, thus they cannot be used to reject the application. Consequently, claims 23, 34, and 45 are allowable

Art Unit: 2133

over the prior arts of record. Claims 24-33, 35-44, and 46-55 are directly or indirectly dependent upon claim 1 and therefore are also allowable over the prior arts of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Todd M Jack whose telephone number is 571-272-3823. The examiner can normally be reached on M-Fr.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady, can be reached on 571-272-3819. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

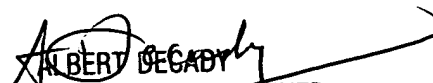
Application/Control Number: 09/778,005

Page 4

Art Unit: 2133

  
Todd Jack  
Art Unit 2133

January 28, 2005

  
ALBERT DECADY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100